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New Jersey Courts Take Steps to Ensure Integrity of Residential Mortgage Foreclosure Process

New Jersey Chief Justice Stuart Rabner today announced a series of steps to protect the integrity of filings of foreclosures in New Jersey. His actions come after careful review of a report and series of recommendations presented to the Judiciary by Legal Services of New Jersey on "robo-signing" irregularities by mortgage lenders and servicers and actions by other states.

General Equity Judge Mary C. Jacobson of the Mercer Vicinage, who has been designated by the chief justice to oversee foreclosure matters in the state, has signed an order directing six lenders and service providers who have been implicated in irregularities in connection with their foreclosure practices to show cause why the processing of uncontested residential mortgage foreclosure actions they have filed should not be suspended.

"Today's actions are intended to provide greater confidence that the tens of thousands of residential foreclosure proceedings underway in New Jersey are based on reliable information. Nearly 95 percent of those cases are uncontested, despite evidence of flaws in the foreclosure process," said Chief Justice Rabner.

"For judges to sign an order foreclosing on a person's home, they must first be able to rely on the accuracy of documents submitted by lenders. That step is critical to the integrity of the judicial process," said Rabner.

At the direction of the chief justice, Judge Glenn A. Grant, acting administrative director of the courts, has issued an administrative order that details the scope of the problem and orders certain procedures to safeguard the mortgage foreclosure document preparation and filing process. The documents released today include:

- Judge Jacobson's Order to Show Cause;
- The administrative order that directs 24 lenders and service providers who have filed more than 200 residential foreclosure actions in 2010 to demonstrate affirmatively that there are no irregularities in their handling of foreclosure proceedings, via submissions to retired Superior Court Judge Walter R. Barisonek, who has been recalled to temporary judicial service and assigned as a special master; and
- The adoption of amendments to the Rules of Court and a Notice to the Bar that require plaintiffs' counsel in all residential foreclosure actions to file certifications confirming that they have communicated with plaintiff's employees who have (a) personally reviewed documents and (b) confirmed the accuracy of all court filings, and which remind all counsel of their obligations under the New Jersey Rules of Professional Conduct.

[The documents](#) are available at njcourts.com.

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